

### REMARKS

In this Amendment, Applicant has amended Claim 1 and added new Claim 6. Claim 1 has been amended to overcome the rejection and further specify the embodiments of the present invention. It is respectfully submitted that no new matter has been introduced by the amended and added claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

### REJECTIONS UNDER 35 U.S.C. § 102:

Claims 1 – 2 have been rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Kobayashi (JP 10-143924A), hereinafter Kobayashi.

Applicant traverses the rejection and respectfully submits that the present-claimed invention is not anticipated by the cited reference. More specifically, Claim 1 has been amended to a more specified embodiment of the present invention. One of the features of the amended Claim 1 is that the bonding layer (2) for bonding the first substrate (1) and the second substrate (4) is made of ultraviolet-hardened resin that includes at least one type of photochromic dye, as disclosed in page 8, lines 14 to 18.

Different from the present invention, in Kobayashi, the pattern 110 formed on the substrate 101 is made of ink containing the light absorptive discoloring material. There is no disclosure or teaching such that the bonding layer 107 is made of the light absorptive discoloring material.

Moreover, as defined in the newly added Claim 6, the photochromic dye is colored when exposed to light of a first specific wavelength whereas becomes colorless when exposed to light of a second specific wavelength at which the color is absorbed, as disclosed in page 6, lines 18 – 22. Due to the photochromic dye used for the bonding

layer (2) inserted between the first substrate (1) and the second substrate (4), information can be recorded on, or reproduced or erased from the bonding layer (1) with a laser beam incident via the second substrate (4) through the bonding layer (2), as shown in Figs. 2 – 4. Thus, the optical disk according to the present invention as defined allows recording new information while erasing old information. In contrast, the pattern 110 of Kobayashi is a fixed pattern that can be colored and disclosed, but cannot be replaced with another pattern. It is respectfully submitted that the invention as claimed in the amended Claims 1 and its dependent claims differs from disclosures in Kobayashi.

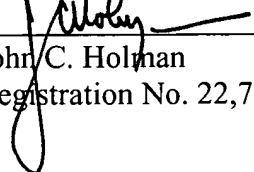
Therefore, the newly presented claims are not anticipated by Kobayashi and the rejection under 35 U.S.C. § 102 (b) has been overcome. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102 (b) is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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